

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO
et al.,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING DEBTORS' NOTICE OF MOTION AND MOTION FOR
ORDER EXCLUDING TESTIMONY OF ANDRES MERCADO BONETA

Upon consideration of the *Debtors' Notice of Motion and Motion for Order Excluding Testimony of Andres Mercado Boneta* (Docket Entry No. 18334 in Case No. 17-3283) and the *Memorandum of Law in Support of Debtors' Motion for Order Excluding Testimony of Andres Mercado Boneta Martinez* (Docket Entry No. 18333 in Case No. 17-3283, the "Motion"), filed by the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"), as the sole Title III representative of the Commonwealth of Puerto Rico (the "Commonwealth"), the Puerto Rico Public Buildings Authority ("PBA"), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS," and

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

together with the Commonwealth and PBA, the “Debtors”) pursuant to section 315(b) of the Puerto Rico Oversight, Management, and Economic Stability Act (“PROMESA”),² and the Debtors’ accompanying papers and pleadings, and it appearing that (i) the Court has subject-matter jurisdiction of the Motion pursuant to PROMESA section 306(a)(1); (ii) venue of this proceeding is proper under PROMESA sections 106(a) and 307, and 28 U.S.C. 1391(b); and (iii) the Court has found good cause to grant the relief requested in the Motion, and in the absence of any opposition by the Group Wage Creditors³ and in accordance with Section III, paragraph P of the *Fifteenth Amended Notice, Case Management and Administrative Procedures* (Docket Entry No. 17127-1 in Case No. 17-3283), it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.
2. The Group Wage Creditors are hereby precluded from entering any testimony of Andres Mercado Boneta into evidence in connection with Plan confirmation proceedings.
3. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.
4. This Order resolves Docket Entry No. 18333 in Case No. 17-3283.

SO ORDERED.

Dated: October 20, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

² PROMESA is codified at 48 U.S.C. § 2101 *et seq.*

³ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.